

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

JEANETTE F. MELICHAR, )  
                            )  
Plaintiff,               )  
                            )  
v.                         )                  Case No. 4:09CV244 HEA  
                            )  
MICHAEL J. ASTRUE,      )  
Commissioner of Social Security,      )  
                            )  
Defendant,               )

**MEMORANDUM AND ORDER**

This matter is before the Court on the Report and Recommendation, of Magistrate Judge Mary Ann L. Medler that the relief Plaintiff seeks in her Brief in Support of the Complaint be granted and that Judgment be entered in favor of Plaintiff. None of the parties have filed any objections to the Report and Recommendation within the prescribed time period.

After careful consideration, the Court will adopt and sustain the sound reasoning of Judge Medler as set forth in her October 6, 2009 Report and Recommendation.

Accordingly,

**IT IS HEREBY ORDERED** that the decision of the Commissioner is reversed under Sentence 4 of 42 U.S.C. § 405(g).

**IT IS FURTHER ORDERED** that judgment will be entered in favor of Plaintiff and against Defendant.

**IT IS FURTHER ORDERED** that recoupment of overpayments to Plaintiff is waived.

A separate judgment in accordance with this Order is entered this same date.

Dated this 20th day of October, 2009.



---

HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE